

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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J & J SPORTS PRODUCTIONS, INC.

Plaintiff

07 CV 5932

-AGAINST-

RINCON HAVANERO INC.
d/b/a RINCON HAVANERO RESTAURANT
and JOAQUIN RUBI

AFFIDAVIT FOR JUDGMENT
BY DEFAULT

Defendant

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STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

Paul J. Hooten, being duly sworn, deposes and says:

I am a member of the Bar of this Court and am associated with the
firm of Paul J. Hooten & Associates, attorney for plaintiff in the above-entitled action and I am
familiar with all the facts and circumstances in this action.

1. I make this affidavit pursuant to Rule 55.1 and 55.2(a) of the Civil
Rules for the Southern District of New York, in support of plaintiffs application for the entry of a
default judgment against defendant.

2. This is an action to recover the unauthorized exhibition of the telecast
of the June 25, 2005, boxing match between Gatti and Mayweather by the defendant. See
attached summons and complaint attached hereto as Exhibit "A".

3. This action was commenced on June 21, 2007 by the filing of the summons and
complaint. A copy of the summons and complaint was served on the defendant Rincon
Havanero Inc. d/b/a Rincon Havanero Restaurant on August 24, 2007 by service on Donna

Christie, Clerk Authorized to Accept in the office of the Secretary of State of New York. The defendant has not answered the complaint and the time for the defendant to answer the complaint has expired.

4. This action seeks judgment in the amount of \$20,000.00, plus interest at 9% from June 25, 2005, amounting to \$4,800.00, plus costs and disbursements of this action in the amount of \$470.00 amounting in all to \$25,270.00.

WHEREFORE, plaintiff requests the entry of Default and the entry of the annexed Judgment against defendant.

Dated: Mt. Sinai, New York
February 18, 2008

/s/ Paul J. Hooten
Paul J. Hooten (PJH9510)

Sworn to before me this
18th day of February, 2008

/s/ Cheryl E. Lorefice
Notary Public

Cheryl E. Lorefice
Notary Public, State of New York
No. 4999823
Qualified in Suffolk County
Commission Expires August 3, 2010

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STATEMENT OF DAMAGES

Defendant

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Amount of judgment \$20,000.00

Interest at 9% from June 25, 2005 through February, 2008 \$ 4,800.00

Costs and Disbursements:

Clerk's fee \$ 350.00

Process Server fee for service \$ 120.00

Total as of November 20, 2006..... \$25,270.00

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CERTIFICATE OF SERVICE

Defendant

-----X

I certify that a copy of the Default Judgment, Affidavit for Judgment by Default, and
Statement of Damages was sent via U.S. Postal Service, postage prepaid, first class mail,
addressed to the following on February 18, 2008:

Rincon Havanero Inc.
d/b/a Rincon Havanero Restaurant
463 E. Tremont Drive
Bronx, NY 10457

By: /s/ Paul J. Hooten
Paul J. Hooten, Esquire
Attorney for Plaintiff
5505 Nesconset Highway, Suite 203
Mt. Sinai, NY 11766
Telephone (631) 331-0547